



For DPZ Office use only:
 BA CASE NO. BA-16-016 C+U
 Date Submitted 5/20/16

**CONDITIONAL USE PETITION
 TO THE HOWARD COUNTY HEARING AUTHORITY**

(This application will only be accepted after a pre-submission meeting. See attached info.)

1. Conditional Use Request

Conditional Use Category Landscape Contractor Sections 131.N. 32
 Specific Use Requested Conditional use for a landscape contractor business and related storage

2. Name of Petitioner Chad Zirk

Trading as (If applicable) _____
 Mailing Address 2070 Woodbine Road, Woodbine, Maryland 21797
 Phone Number(s) 410-916-4803
 E-Mail Address chad@cuttingedgetreeexpert.com
 Name of Principal Contact (If different) _____

3. Counsel for Petitioner Thomas G. Coale, Talkin & Oh, LLP

Mailing Address 5100 Dorsey Hall Drive, Ellicott City, Maryland 21042
 Phone Number(s) (410) 964-0300
 E-Mail Address tcoale@talkin-oh.com

4. Conditional Use Site Description

Address/Street for Property 2060 Woodbine Road, Woodbine, Maryland 21797
 Tax Map 7 Grid/Block 15 Parcel 362 Lot _____
 Department of Assessments and Taxation Account No. 04-310136
 Total Land Area of Property 10.000 (Acres) (_____ Square Feet) Check one.
 Election District 4th Zoning of Property RC-DEO
 Subdivision Name and Plat No. (If Applicable) _____
 Total Land Area of Use (If different than above) _____ (_____ Acres) (_____ Square Feet)

RECEIVED
 JUL 18 2016
 By _____

Revised

5. Petitioner's Interest in Subject Property

- OWNER (Including joint ownership)
- OTHER (Described and give name and address of owner)

Name of Owner _____

Mailing Address _____

If the Petitioner is not the owner, written authorization for this petition from the owner must be submitted.

6. Conditional Use Plan Requirements

If the petition is approved, the conditional use plan will be made a part of the Hearing Examiner's Decision and Order, subject to modifications and conditions required by the Hearing Examiner. The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining properties
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of adjoining properties
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- (i) Election District in which the subject property is located
- (j) Tax Map and Parcel Number(s) of the subject property
- (k) Name of local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- (n) Name, mailing address, telephone number of property owner
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- (r) Any other information as may be necessary for full and proper consideration of the petition

7. Additional Information Requirements

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. Summary of Request

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

a. The present use of the subject property Storage of equipment.

b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.

See attached Narrative Supplement.

c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N.

See attached Narrative Supplement.

d. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

See attached Narrative Supplement.

e. Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?

See attached Narrative Supplement

f. Will the ingress and egress driveway(s) provide safe access with adequate sight distance?

See attached Narrative Supplement

g. Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas?

See attached Narrative Supplement

h. Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites?

There are no historic sites in the vicinity of the property.

9. **Prior Petitions**

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Examiner within twenty four (24) months of the date of this petition?

() Yes (X) No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. **Additional Materials, Fees, Posting and Advertising Requirements**

a. Supplemental pages may be attached to the petition. **You must submit one original petition with original signatures, and one original of any other signed documents.** The following number of sets including petitions, plans and supplemental pages must be submitted:

- *If the subject property adjoins a State road- original and 20 copies (application & plans)*
- *If the subject property adjoins a County road- original and 18 copies (application & plans)*


b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with this petition.

c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.

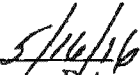
d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

11. Signatures

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.




Signature of Petitioner




Date

Chad Zirk

Print Name of Petitioner



Signature of Attorney



Date

Thomas G. Coale

Print Name of Attorney

12. General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.B. of the Zoning Regulations for approval:

1. The proposed conditional use plan will be in harmony with the land uses and policies indicated in the Howard County General plan for the district in which it is located. In Evaluating the plan under this standard, the Hearing Examiner shall consider:
 - a. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site; and
 - b. If a conditional use is combined with other conditional uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks.
2. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Hearing Examiner shall consider whether:
 - a. The impact of adverse effects such as noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions will be greater at the subject site than it would generally elsewhere in the zone or applicable other zones.
 - b. The location, nature and height of structures, walls and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures more at the subject site than it would generally in the zone or applicable other zones.
 - c. Parking areas will be of adequate size for the particular use. Parking areas, loading areas, driveways and refuse areas will be properly located and screened from public roads and residential uses to minimize adverse impacts o adjacent properties.
 - d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.

In addition to the specific requirements of the appropriate subsection within Section 131.N of the Zoning Regulations, conditional uses within residential developments in the R-ED, R-SC, R-SA-8, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.C.

PETITIONER Chad Zirk

ADDRESS 2070 Woodbine Road, Woodbine, Maryland 21797

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Kelly L. Wagner
Witness

Chad Zirk
Signature

5/16/10
Date

Witness

Signature Date

Witness

Signature Date

Application Fee: \$500.00 Poster Fee: \$25.00 per sign/poster

Make check payable to: Director of Finance.

For DPZ use only:	
Hearing fee:	\$ _____
Poster fee:	\$ _____
Total:	\$ _____
Receipt No. _____	

County Website: www.howardcountymd.gov

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

T:\shared\PubSer\Applications\CondUse

Revised 10/07

IN RE:	*	BEFORE THE
CHAD ZIRK	*	HOWARD COUNTY
REQUEST FOR CONDITIONAL USE	*	HEARING EXAMINER
	*	Case No: _____

***** ** ***** ** *****

**AMENDED NARRATIVE SUPPLEMENT TO
CONDITIONAL USE PETITION**

8. Summary of Request

b. Details of the proposed use, including, where applicable: types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.

This petition seeks conditional use approval for a landscape contractor business on the subject property (the "Property"). The Property currently contains two existing structures and a small parking area.

The Petitioner is proposing to use 21,795 square feet (approximately 0.5 acre) for storage of vehicles, equipment, materials, and supplies related to an existing landscape contractor business (the "Storage Space"). The proposed use will also include a 50' x 30' shop structure for equipment repair, which is located within the Storage Space delineated on the attached conditional use plan.

Petitioner does not anticipate having clients visit the site, but will have seven to eight employees who will be on-site for 30 minutes or less per day. Employees will generally be on site for 15 minutes in the morning to pick up equipment and 15 minutes in the evening to drop it off. The hours of operation will be from 6:30 AM – 6:00 PM, but as indicated above, activity on-site will be minimal.

c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.0.N.

Section 131.0.N.32. Landscape Contractors

A. The site is at least 5 acres in area.

The Property, at approximately 10.000 acres, is of a sufficient size.

- B. Buildings and outdoor areas to be used for parking, loading and storage of vehicles, equipment and tools and supplies shall be delineated on the Conditional Use plan and located at least 100 feet from lot lines and public roads.

Buildings and outdoor areas are delineated on the attached conditional use plan and are located over 100 feet from the lot lines and public roads.

- C. The location and design of the operation shall be such that the use will not be a nuisance to neighboring properties due to noise, dust or fumes.

The proposed use areas are over 150 feet from the lot lines and much further from the neighboring residences. In light of the fact that the primary purpose of the use is for storage, and not on-site activity, the Petitioner does not anticipate noise, dust, or fumes to emanate from the Property onto neighboring properties.

- D. Buildings used for storage or offices will be screened or compatible in scale and character with other residential or agricultural structures in the vicinity. If new structures or additions to structures are proposed, architectural elevations or renderings must be submitted with the petition.

An architectural rendering of the proposed 50' x 30' shop structure has been provided with this Petition. This structure is screened from neighboring properties by existing vegetation and proposed landscaping. The two existing structures shown on the plan will not be a part of the use and are not in usable condition.

- E. Outdoor parking and storage areas shall be screened from neighboring properties and roads.

Outdoor parking and storage areas will be screened by existing vegetation and a perimeter Type 'C' landscape buffer as shown on the attached plan.

- F. Minor repairs to vehicles or equipment are permitted, provided such activities take place inside a building. Body work, engine rebuilding, engine reconditioning, painting and similar activities are not permitted.

A shop structure is proposed for minor repairs to equipment. Petitioner does not anticipate performing repairs to vehicles on-site.

- G. The area used for parking and storage of commercial vehicles, equipment, materials and supplies, whether exterior or interior, shall be limited to no more than 5% of the area of the lot.

The area used for parking and storage of commercial vehicles, equipment, materials and supplies is 21,798 square feet (0.5 AC), which approximately 5% of the area of the 10 acre lot. This area includes the proposed shop structure.

- H. The Hearing Authority shall set limits on the maximum number of employees and shall set the days and hours of operation.

The hours of operation and usage of the Property are indicated above.

- I. A snow removal service shall not be conducted as an accessory use unless specifically authorized by the Hearing Authority, upon a finding that the noise and level of activity of such a service will not be a nuisance to the neighborhood.

Snow removal services are not included with this Petition.

- J. On an ALPP purchased or dedicated easement property, the following additional criteria are required...

The Property is not ALPP purchased or dedicated easement property.

8.d: Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

The proposed use will not generate physical conditions such as noise, dust, fumes, odors, lighting, or vibrations that would be discernible from abutting and vicinal properties. The primary purpose of this use is for storage of landscaping equipment and supplies. On-site activity will be limited to an estimated 30 minutes per day. To the extent there will be any repairs of equipment on-site, those repairs will be performed within the proposed structure.

Exterior lighting shall consist of a single non-specialized residential style light on the exterior of the shop structure. Adjoining properties will not be adversely impacted. The proposed Conditional Use will not create any adverse impacts greater at the Property than elsewhere in the zone or applicable other zones.

8.e: Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?

Yes. Parking on-site will be minimal.

8f: Will the ingress and egress driveway(s) provide safe access with adequate sight distance?

The Property will have access to Woodbine Road by way of a use-in-common driveway. The attached use-in-common easement deed will be executed and recorded upon approval of the conditional use. As noted above, the only anticipated ingress and egress for the proposed use will be the seven to eight employees who will pick up equipment and trucks in the morning and drop them off in the evening. Due to the topography and the curvature of the road, there is safe access with adequate sight distance in either direction on Woodbine Road from the use-in-common driveway. Petitioner, Chad Zirk, is a Howard County Police Officer and will testify to the adequacy of the sight distance at the hearing for this matter.

8g: Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas?

There is a stream that runs across the northeast corner of the lot. This stream is over 250 feet from the proposed storage area and will not be affected by the proposed use. Moreover, storm water management systems will be installed in conjunction with the proposed use, which will manage and redirect storm water run-off.

CHAD ZIRK
2070 Woodbine Road
Woodbine, Maryland 21797

Notice of Pre-Submission Community Meeting

In accordance with Section 131.0 of the Howard County Zoning Regulations, this is notice that Chad Zirk, Petitioner, intends to submit a Conditional Use Petition for a landscape contractor business and related storage. The property is currently zoned RC-DEO and consists of approximately 10.0 acres, more or less, and is located at 2060 Woodbine Road, Woodbine, Maryland 21797 (Tax Map 7, Grid 15, Parcel 362) (see enclosed site location map).

You are invited to attend a pre-submission community meeting to meet with the Petitioner, who will provide information concerning the Petition, and to ask questions, make comments and discuss this project.

The presubmission community meeting will be held on Tuesday, May 3, 2016 at 6:00 p.m. at the Lisbon Volunteer Fire Company, 1330 Woodbine Road, Woodbine, Maryland.

General information regarding the pre-submission community meeting can be found on the Department of Planning and Zoning's webpage at:
http://data.howardcountymd.gov/Search_Plans/Search_Plans_Web.aspx

If you are unable to attend the meeting, you may contact Sang Oh at (410) 964-0300 to receive meeting minutes and follow-up correspondence.

List of Adjoining and Confronting Property Owners/Chad Zirk

Subject Property: 2060 Woodbine Road
Woodbine, Maryland 21797
Tax Map 7, Parcel 362

Adjoiners:

Parcel 129: The Moore Farm, LLC
1990 Woodbine Road
Woodbine, Maryland 21797

Mailing address: 2415 Woodbine Road
Woodbine, Maryland 21797

Parcel 508: Charles H. and Patricia Browning
1874 Woodbine Road
Woodbine, Maryland 21797

Parcel 342: Daniel Berkowitz
1559 Old Annapolis Road
Woodbine, Maryland 21797

Parcel 146: Michael and Wendy Collins
1563 Old Annapolis Road
Woodbine, Maryland 21797

Parcel 363: Michael and Wendy Collins
Route 94
Woodbine, Maryland 21797

Mailing address: 1563 Old Annapolis Road
Woodbine, Maryland 21797

Parcel 504: Chad Zirk
Cory Zirk
2070 Woodbine Road
Woodbine, Maryland 21797

Parcel 505: Timothy Shafer
Charles Vanmeter
2080 Woodbine Road
Woodbine, Maryland 21797

Parcel 364: Edward and Ruth Fahrmeier
2090 Woodbine Road
Woodbine, Maryland 21797

Parcel 361: Paul Kojzar
Pete Kojzar
Woodbine Road
Woodbine, Maryland 21797

Mailing address: 11710 Foxspur Court
Ellicott City, Maryland 21042

School Principals

Lisbon Elementary School
15901 Frederick Road
Woodbine, Maryland 21797
Attention: Michael Caldwell, Principal

Glenwood Middle School
2680 Route 97
Glenwood, Maryland 21738
Attention: Robert Motley, Principal

Glenelg High School
14025 Burntwoods Road
Glenelg, Maryland 21737
Attention: Karl Schindler, Principal

PTA Presidents

Lisbon Elementary School
15901 Frederick Road
Woodbine, Maryland 21797
Attention: PTA PRESIDENT

Glenwood Middle School
2680 Route 97
Glenwood, Maryland 21738
Attention: PTA PRESIDENT

Glenelg High School
14025 Burntwoods Road
Glenelg, Maryland 21737
Attention: PTA PRESIDENT

ZIRK LANDSCAPE CONTRACTOR
COMMUNITY MEETING MINUTES
LISBON FIRE HALL – MAY 3, 2016

Attendees: Rob Vogel, Tom Coale, Mr. Chad Zirk, Neighbor

The proposed Conditional Use was introduced and the purpose for the meeting was discussed. The Howard County development process handout was made available. A Conditional Use plan was made available for review. The following is a summary of the questions (Q), answers (A), and comments (C).

Q: Will wood chipping occur on-site?

A: No.

C: The wood chipping that previously occurred on-site to clear the storm damage was loud. Neighbor played audio.

Q: When will the employees be coming and going?

A: The employees generally arrive in the morning and require 15-20 minutes to start the vehicles and depart from the site. It is typically the same at the end of the day when employees return to the site.

C: There was a discussion regarding the distance between the neighbor's house and the existing parking area versus the proposed parking area. The neighbor suggested that distance from his house to the existing staging area is 600 yards. It was determined the distance is about 300 yards and the new location will be about 100 yards.

Q: What is the required distance between the use area and the property line?

A: The minimum distance is 100' but Mr. Zirk requested that the distance be increased to 150' in order to create additional distance and retain existing bamboo.

C: Neighbor stated that he has invested \$200,000 in his home and he is located ¼ miles from a public road because he desires the seclusion. He also stated that he previously attempted to purchase the subject property. Neighbor stated that there are limited trees between the use and the property line. Mr. Zirk stated that he is willing to provide additional plantings but their survival rate and growth will be limited by the mature trees.

Q: How many people are employees?

A: 6 to 8 employees.

Q: How many days a week?

A: The normal routine is 5 days a week. In the event of an emergency storm operations may also occur on the weekend.

Q: How often will a tractor trailer be on-site?

A: Once or twice a year.

C: Discussion regarding use of the property if it were not used for the landscape contractor business. Mr. Zirk stated he would anticipate the lot would be resubdivided for residential lots. Mr. Zirk has spoken with the other neighbors who were not in attendance.

Q: What types of work vehicles would be on-site?

A: 2-3 diesel work trucks with trailers, and two cars.

The meeting concluded at approximately 7:00 p.m.

**AFFIDAVIT OF POSTING
Pre-submission Meeting**

Case: Chad Zirk, Landscape Contractor

STATE OF MARYLAND)

COUNTY OF HOWARD)


I, Chad Zirk, HEREBY CERTIFY that to the

best of my information, knowledge and belief the property which is the subject of the above-captioned petition has been posted in accordance with the following requirements of the Department of Planning and Zoning:

1. The poster(s) shall be erected and shall remain on the subject property for three weeks prior to the pre-submission meeting.
2. The poster(s) shall be erected using 2 wooden stakes, one on each side of the poster.
3. The poster(s) shall be placed at the location indicated by the Department of Planning and Zoning.

I further certify that the poster(s) has been posted at least 21 days immediately prior to the pre-submission meeting scheduled for **May 3, 2016**, giving notification of the place, date and time of the meeting.

Subscribed and sworn before me on this 18th day of May, 2016


Petitioner's/Agent's Signature


Notary Public:



My Commission expires: 7/6/19

Note: It is the responsibility of the Petitioner to ensure that all of the Posting requirements have been met. Failure to meet any of these requirements may result in the postponing and rescheduling a meeting in order to ensure the proper posting of the property. It is also the petitioner's responsibility to remove the poster 3 weeks after the meeting.

DECLARATION OF EASEMENT AND COVENANTS
FOR INGRESS AND EGRESS AND MAINTENANCE OF
PRIVATE DRIVEWAY

THIS DECLARATION Made this ____ day of _____, 2016, by and between CHAD ZIRK and CORY ZIRK (hereinafter "Declarants").

WHEREAS, Declarants are the owners of two parcels located in Howard County, State of Maryland, the first containing approximately 4.04 acres, more or less, said property having been acquired by a Deed dated June 30, 2005 and recorded among the Land Records of Howard County in Liber 9406, folio 298, and the second containing approximately 10.00 acres, more or less, said property having been acquired by a Deed dated August 13, 2014 and recorded among the Land Records of Howard County in Liber 15817, folio 110 (hereinafter referred to as the "Lots"); and

WHEREAS, the Lots do not front on a public street and Declarants desire to utilize a shared easement to a public street; and

WHEREAS, the easement as hereinafter provided is intended to allow for their use in common by the owners of the Lots as a driveway for ingress and egress to each Lot; and

WHEREAS, Declarants desire to establish the easement for the purposes aforesaid, and to subject the Lots to the covenants set forth below to provide for sharing among the owners of the Lots of certain costs in connection with the construction, maintenance and use and enjoyment of the easement; and

WHEREAS, The term "Easement Area" as hereinafter used shall refer to the area designated "Use-In-Common Easement" as shown on the attached Schedule A.

NOW, THEREFORE, Declarants hereby declare that the Lots shall be hereafter held, sold and conveyed subject to and together with the easements and covenants hereinafter set forth, which are for the purpose of providing (i) ingress and egress to, from and between the public street and the Lots that share each such easement, and (ii) for sharing the cost of construction, making repairs or replacements and for maintenance of the Easement Area and of the driveway thereon, which easements and covenants shall run with the land and shall be binding upon all parties, their heirs, personal representatives, successors and assigns, having any right, title or interest in the Lots sharing the easements respectively, and shall inure to the benefit of each owner of the Lots respectively sharing the easements and their respective heirs, personal representatives, successors, assigns, tenants, guests, invitees and contractors.

1. Easements. The Declarants hereby declare and establish an easement in perpetuity in, on, over and across the Easement Area for the benefit of each of the Lots sharing the easement, for the use in common for pedestrian and vehicular access to and from each of the Lots sharing the easement, and for construction, use and maintenance of a paved driveway thereon.

2. Contribution for Maintenance and Improvements. Each owner of the Lots shall be responsible for contributing to his pro rata cost of construction, maintenance, repair and replacement of the shared Easement Area and the driveway thereon so that all of the Lots may enjoy the equal or proportional use and benefit of the Easement Area, and the driveway thereon (hereinafter collectively referred to as "Repairs" and the cost therefor referred to as the "Cost for Repairs").

Pro rata contributions shall be calculated so as to require contribution by a Lot Owner for that section of the shared easement area and driveway that is used in common with other Lot, there being no responsibility for driveway maintenance or easement areas after said improvements pass the turnoff private driveway of the Lot benefited thereby.

3. Initiating Repairs. In the event any of the Easement Area, or the shared driveway thereon, for any Lot requires Repairs, the owner of any Lot may make such Repairs or cause such Repairs to be made (such owner being hereinafter referred to as the "Initiating Owner") and may advance the Cost for Repairs therefor, and shall be entitled to contribution for such Cost for Repairs from the owner of the other Lot upon compliance with the following procedures:

3.1. Except in the case of an emergency, before making any Repairs or incurring any Cost for Repairs, the Initiating Owner shall notify the owner of the other Lot, in writing, sent by certified mail, postage prepaid, return receipt requested, addressed to the owners of the other Lot, at the mailing address for such owner as shown on the Land Assessments Records of Howard County, Maryland, of the Repairs proposed, and request that such owner consents to the making of such Repairs. If the owner of the other Lot consent thereto in writing, the Initiating Owner may contract for or make such Repairs and the owner of the other Lot shall thereafter be obligated to pay the pro rata cost of such Repairs. The Initiating Owner may demand that the proportionate share of the estimated Cost for Repairs be paid (to be held in escrow) in advance by the owner of the other Lot.

3.2. In the event of an emergency, the Initiating Owner may make such Repairs or cause such Repairs to be made and advance the Cost for Repairs without giving notice as provided above. Within fifteen (15) days after making the Repairs, the Initiating Owner shall notify the owner of the Lot sharing the Easement Area, in writing, sent by certified mail, postage prepaid, return receipt requested, addressed to the owner of the other Lot, at the mailing address for such owners as shown on the Land Assessments Records of Howard County, Maryland, of

the Repairs made and that the making of the Repairs was an emergency. The owner of the other Lot shall then be obligated to pay the pro rata cost of such Repairs. The payment shall be due within thirty (30) days after delivery of the notice.

3.3. Either Lot owner shall reimburse the other Lot owner for any expenditures incurred for Repairs to the Easement Area or the driveway thereon damaged through the negligence or willful misconduct of such owner.

4. Cost for Repairs. "Cost for Repairs", as used herein, shall mean the actual cost for the Repairs so made or to be made, or the fair market value of the work if the same is performed by a Lot Owner.

5. Personal Obligation of Owners. Declarants, for each of the Lots, hereby covenant, and each owner of a Lot, from time to time hereafter, by accepting a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay his share of the Cost for Repairs as provided above. The obligation to contribute to the Cost for Repairs shall be binding upon each such Lot owner only for Repairs made while such owner is the title owner of record of the Lot. Such obligation is a personal obligation of the owners of the Lot at the time the obligation fell due. The personal obligation for delinquent Cost for Repairs shall not be binding on a prior or successor Lot owner in title unless expressly assumed by him.

6. Maryland Contract Lien Act. The Initiating Owner shall be entitled to a lien against the Lot of any owner responsible for a share of the Cost for Repairs who does not pay his proportionate share of the costs within thirty (30) days after written demand therefor. The Initiating Owner may establish and enforce the lien for any such cost pursuant to the Maryland Contract Lien Act. The lien is imposed against the Lot for which the charge is made. The lien may be established and enforced for damages, costs of collection, late charges permitted by law, and attorney's fees of Five Hundred Dollars (\$500.00) or such greater amount as may be awarded by a court having jurisdiction for breach of any of the covenants herein.

7. Subordination of the Lien to Mortgages. The lien for the Cost for Repairs provided for herein shall be subordinate to the lien of any mortgage or deed of trust now or hereafter placed against a Lot that was recorded among the Land Records of Howard County prior to the recording of the lien for the Cost for Repairs. The lien for Cost for Repairs shall be effective from the date of its recording.

8. No Merger. There shall be no merger of the easements or of any covenants, conditions or restrictions created and imposed by this Declaration by reason of the fact that the same person, firm or corporation may hold, own or acquire, directly or indirectly, the fee simple estate or other lesser estate in more than one of the Lots. No such merger shall occur unless and until all of the persons,

firms and corporations having such fee simple interest in all of the Lots sharing the easement, driveway and utility lines, or any lesser estate, shall join in a written instrument specifically effecting such merger and duly recording the same.

9. Gender and Number. As used herein and where the context requires, the masculine gender shall be deemed to include the feminine and neuter gender and vice-versa; and the singular shall be deemed to include the plural and vice-versa.

IN WITNESS WHEREOF, The undersigned, being the Declarants herein, have herein set their hands and seals the day and year first above written.

WITNESS:

_____ (SEAL)
Name

_____ (SEAL)
Name

STATE OF MARYLAND, CITY/COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this ____ day of _____, 19__, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [HE/SHE] executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

[Print Name]

My Commission expires: _____

STATE OF MARYLAND, CITY/COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this ____ day of _____, 19__, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [HE/SHE] executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

[Print Name]

My Commission expires: _____

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Thomas G. Coale

RETURN AFTER RECORDING TO:

Thomas G. Coale
Talkin & Oh, LLP
5100 Dorsey Hall Drive
Ellicott City, MD 21042



DPZ Office use only:	
CASE NO.	<u>BA-16-016 C+V</u>
DATE FILED	<u>5/20/16</u>

**RESIDENTIAL DISTRICT VARIANCE PETITION
TO THE HOWARD COUNTY HEARING EXAMINER**

1. VARIANCE REQUEST

SECTION 104.0.E.5 of the Zoning Regulations to reduce the use setback from lot lines to accommodate a driveway.

2. PETITIONER'S NAME Chad Zirk

TRADING AS (IF APPLICABLE) _____

ADDRESS 2070 Woodbine Road, Woodbine, Maryland 21797

PHONE NO. (W) 410-916-4803 (H) _____

EMAIL chad@cuttingedgetreeexpert.com

3. COUNSEL FOR PETITIONER Thomas G. Coale, Talkin & Oh, LLP

COUNSEL'S ADDRESS 5100 Dorsey Hall Drive, Ellicott City, Maryland 21042

COUNSEL'S PHONE NO. (410) 964-0300

EMAIL tcoale@talkin-oh.com

4. PROPERTY IDENTIFICATION

ADDRESS OF SUBJECT PROPERTY 2060 Woodbine Road, Woodbine, MD 21797

ELECTION DISTRICT 4th ZONING DISTRICT RC-DEO ACREAGE 10.000 acres

TAX MAP # 7 GRID # 15 PARCEL # 362 LOT # _____

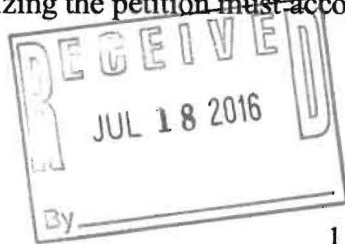
SUBDIVISION NAME (if applicable) _____

PLAT NUMBER AND DATE _____

5. PETITIONER'S INTEREST IN SUBJECT PROPERTY

- OWNER (including joint ownership)
- OTHER (describe and give name and address of owner)

If the Petitioner is not the owner of the subject property, documentation from the owner authorizing the petition must accompany this petition.



**PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION**

6. VARIANCE PLAN

No application for a variance shall be considered complete unless the plan indicates the required setback or other requirement, and the requested variance from the subject setback or other requirement. The submitted plans shall be folded to approximately 8 ½ x 14 inches.

The plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining property
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Location of all building and use restriction lines
- (h) Same as (a) through (g) above, of any adjoining, confronting and vicinal properties as necessary for proper examination of the petition, or, if applicable, a copy of the subdivision plat for the community
- (i) Location of well and private sewerage easement area, if property is to be served by private water and sewer
- (j) Election District in which the subject property is located
- (k) Tax Map and parcel number on which the subject property is located
- (l) Name of local community in which the subject property is located or name of nearby community
- (m) Name, mailing address, telephone number (and e-mail address, if any) of the petitioner
- (n) Name, mailing address, telephone number (and e-mail address, if any) of attorney, if any
- (o) Name and mailing address of property owner
- (p) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (q) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (r) Ownership of affected roads
- (s) A detailed description of all exterior building materials for all proposed structures
- (t) Any other information as may be necessary for full and proper consideration of the petition

7.VARIANCE

A) Describe why the application of the Zoning Regulations in question to your particular property would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

1. The physical character of the property is different from the character of the surrounding properties because of its (X) narrowness, () shallowness, () shape, () topography, () other; explain: _____

See attached Narrative Supplement.

2. The uniqueness of the property prevents me from making a reasonable use of the property because: _____

See attached Narrative Supplement.

B) The intended use of the property, in the event the petition is granted: Landscape contractor business

C) Any other factors which the Petitioner desires to have considered: See attached Narrative Supplement.

D) Explain why the requested variance is the minimum necessary to afford relief: See attached Narrative Supplement.

E) Is the property connected to: public water? Y N; public sewer? Y N.

F) If the variance is granted, would it impact the water and/or septic/sewer on the site? Y N.

G) If the variance is granted, would it increase the intensity of uses on the site? Y N

H) If the requested variance is granted, would it increase traffic to or from the site? Y N;

if yes, explain: _____

I) Describe in detail all means of vehicular access onto the site (i.e. width, type of paving, etc.): _____

The driveway is shown in greater detail on the attached Variance and Conditional Use plan.

J) Describe the topography of the site: Generally flat.

K) Will the existing or proposed structure be visible from adjacent properties? Y N; if yes, describe any proposed buffering or landscaping: _____

L) Describe any existing buffering or landscaping: The site is surrounded by mature trees and

landscaping will be in accordance with the Howard County Landscape Manual.

8. PRIOR PETITIONS

Has any petition for the same variance, or substantially the same variance as contained herein, for the same property as the subject of this petition, been disapproved by the Hearing Examiner within twenty four (24) months of the date of this petition? YES NO

If yes, and six (6) months have elapsed since the last hearing, an affidavit setting forth new and different grounds on which re-submittal is based must be attached.

9. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING

- a) If desired, supplemental pages may be attached to the petition. The following number of petitions, plans and supplemental pages must be submitted:
- *If the subject property adjoins a State road- original and 19 copies (application & plans)*
 - *If the subject property adjoins a County road- original and 16 copies (application & plans)*
- b) The undersigned agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with the filing of this petition.
- c) The undersigned agrees to pay all costs in accordance with the current schedule of fees.
- d) The undersigned agrees to properly post the property at least fifteen (15) days prior to the hearing and to maintain the property posters as required, and submit an affidavit of posting at, or before the time of the hearing.
- e) The undersigned agrees to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least fifteen (15) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

10. PLANNING BOARD REVIEW

The Hearing Examiner may, at its discretion, refer a residential district variance petition to the Planning Board for review and a recommendation.

11. SIGNATURES

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.
The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Chad Zirk 

Petitioners Name (please print)

Chad Zirk

Date

7/14/16

Thomas G. Coale 

Counsel's Name (please print)

Thomas G. Coale

Date

7/15/16

**For DPZ office use only: (Filing fee is \$300.00 plus \$25.00 per poster.)
(Make checks payable to "Director of Finance")**

Hearing fee: \$
Poster fee: \$
TOTAL: \$

Receipt No.

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: HYPERLINK "http://www.howardcountymd.gov"
www.howardcountymd.gov

Revised: 07/12

T:\shared\PubSer\Applications\ResVar

PETITIONER Chad Zirk

PROPERTY ADDRESS 2060 Woodbine Road, Woodbine, Maryland 21797

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended.

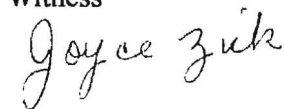
THE UNDERSIGNED DOES HEREBY DECLARE THAT NO OFFICER OR EMPLOYEE OF HOWARD COUNTY, WHETHER ELECTED OR APPOINTED, HAS RECEIVED PRIOR HERETO OR WILL RECEIVE SUBSEQUENT HERETO, ANY MONETARY OR MATERIAL CONSIDERATION, ANY SERVICE OR THING OF VALUE, DIRECTLY OR INDIRECTLY, UPON MORE FAVORABLE TERMS THAN THOSE GRANTED TO THE PUBLIC GENERALLY IN CONNECTION WITH THE SUBMISSION, PROCESSING, ISSUANCE, GRANT OR AWARD OF THE ATTACHED APPLICATION FOR A RESIDENTIAL DISTRICT VARIANCE AS REQUESTED FOR THE PROPERTY REFERENCED ABOVE.

I WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.

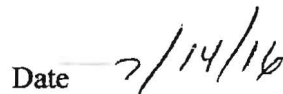
CHAD ZIRK



Witness



Date



HOW A REQUEST FOR A VARIANCE IS EVALUATED

All requests for variances are evaluated based upon the following criteria of Section 130.B.2.a.(1) through (5) of the Howard County Zoning Regulations:

- (1) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.
- (2) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.
- (3) That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.
- (4) That within the intent and purpose of these regulations, the variance, if granted, is the minimum variance necessary to afford relief.
- (5) That no variance be granted to the minimum criteria established in Section 131 for special exception uses, except where specifically provided therein or in an historic district. Nothing herein shall be construed to prevent the granting of variances in any zoning district other than to the minimum criteria established in Section 131 except as provided therein.

To be approved, a variance request must comply with all of the criteria noted above. For a general explanation of what the criteria mean from a legal standpoint and how they are viewed by the Hearing Examiner, please read the attached Variances: The Exception to the Zoning Rule.

For an explanation of the official procedures that are followed in the processing, hearing and decision-making of a variance request, you may obtain a copy of the Rules of Procedure of the Hearing Examiner from the Department of Planning and Zoning.

IN RE:	*	BEFORE THE
CHAD ZIRK	*	HOWARD COUNTY
REQUEST FOR	*	HEARING EXAMINER
RESIDENTIAL VARIANCE	*	Case No: _____

***** ** ***** ** *****

**NARRATIVE SUPPLEMENT TO
RESIDENTIAL DISTRICT VARIANCE PETITION**

7(A). Describe why the application of the Zoning Regulations in question to your particular property would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

(1) The physical character of the property is different from the character of the surrounding properties because of its narrowness; explain:

The subject Property is unique due to its utilization of a pipe-stem driveway as its sole access point to Woodbine Road. This 10.00 acre parcel has access to Woodbine Road via a 1,280 foot long pipe-stem driveway that lies parallel to two other pipe-stems serving neighboring lots. While the neighboring lots also are accessed by pipe-stems, they are not as large as the subject Property. Moreover, the pipe-stems for the neighboring lots are accessory to single-family detached dwellings and, therefore, are not subject to the minimum setback requirements under Section 104.0.E.5.

Petitioner intends to use the large lot to the rear of the Property for a landscape contracting business with a use-in-common driveway easement sharing the pipe-stem of the neighboring property, which is also owned by the Petitioner.

The narrowness of the pipe-stem has created a practical difficulty in complying with the 30' use setbacks to the north and south of the stem. Petitioner is seeking the proposed variances to allow continued access along the pipe-stem to Woodbine Road.

(2) The uniqueness of the property prevents me from making a reasonable use of the property because:

As noted above, the pipe-stem driveway is Petitioner's only ingress and egress point to Woodbine Road. Due to the narrowness of the pipe-stem,

application of the 30' use setbacks on either side of the stem would make the pipe-stem unusable. But for this unique feature of the Property, the Petitioner could continue to utilize the existing pipe-stem for the proposed conditional use without the need for the requested variances.

7(C). Any other factors which the Petitioner desires to have considered:

Granting this requested variance would not alter the essential character of the neighborhood, would not substantially impair the appropriate use and development of adjacent properties, and would not be detrimental to the public welfare.

7(C). Explain why the requested variance is the minimum necessary to afford relief:

The requested variances are the minimum necessary to provide access to Woodbine Road.



Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: [HowardCoHealthDep](https://twitter.com/HowardCoHealthDep)

Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Geoff Goins
Division of Zoning Administration and Public Service

FROM: Jeff Williams
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

RE: **BA-16-016C & V**

DATE: September 12, 2016

The Health Department has reviewed the above referenced petition and has the following comment:

- The proposed conditional use plan shows the vehicle and equipment storage area overlapping a large portion of the sewage disposal area. The sewage disposal area must remain free from buildings and any other permanent or physical objects, and may not be disturbed by earth moving, compaction, tree removal or grading.

JR

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: August 22, 2016

Hearing Examiner 11/07/16

Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-16-016C&V Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: Chad Zirk

Petitioner's Address: _____

Address of Property: _____

Return Comments by October 17, 2016 to Public Service and Zoning Administration

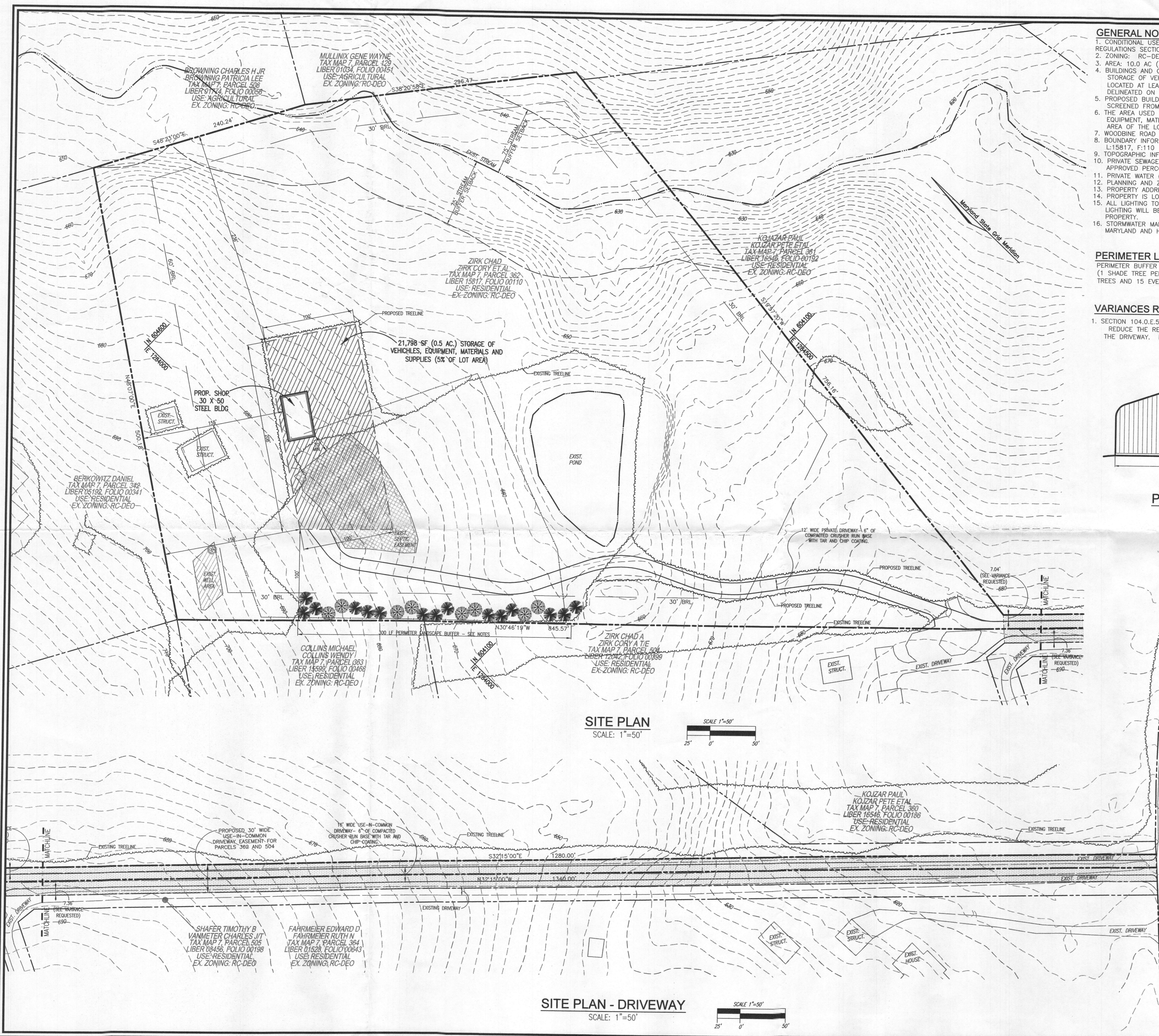
Owner: (if other than applicant) _____

Owner's Address: _____

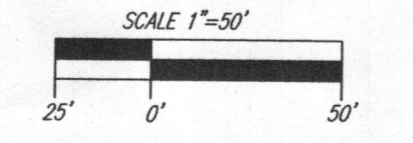
Petition: SEE APPLICATION

- To:
- _____ MD Department of Education – Office of Child Care
 - _____ 3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
 - _____ Bureau of Environmental Health
 - _____ Development Engineering Division
 - _____ Department of Inspections, Licenses and Permits
 - _____ Department of Recreation and Parks
 - _____ Department of Fire and Rescue Services
 - _____ State Highway Administration
 - _____ Sgt. Karen Shinham, Howard County Police Dept.
 - _____ James Irvin, Department of Public Works
 - _____ Office on Aging, Terri Hansen (senior assisted living)
 - _____ Police Dept., Animal Control, Deborah Baracco, (kennels)
 - _____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
 - _____ Land Development - (Religious Facility & Age-Restricted Adult Housing)
 - _____ Housing and Community Development
 - _____ Resource Conservation Division – Beth Burgess
 - _____ Route 1 Cases – DCCP – Kristen O'Connor
 - _____ Telecommunication Towers – (Comm. Dept.)

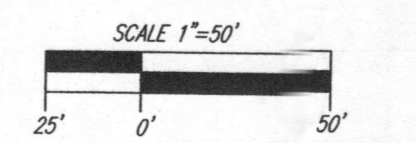
COMMENTS:



SITE PLAN
SCALE: 1"=50'



SITE PLAN - DRIVEWAY
SCALE: 1"=50'



GENERAL NOTES:

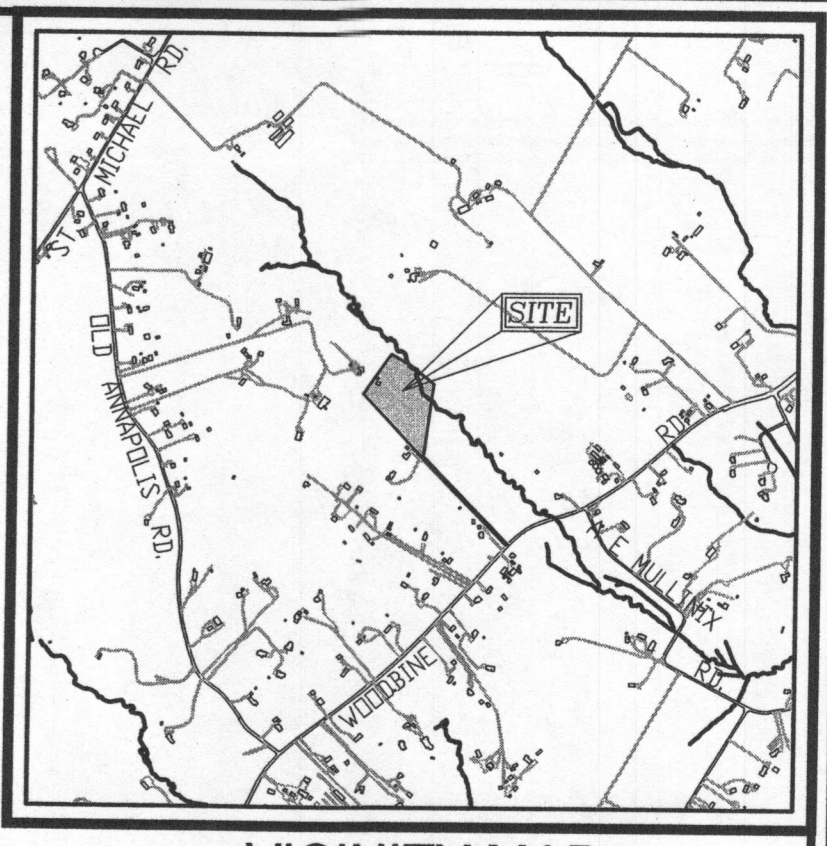
1. CONDITIONAL USE REQUESTED: LANDSCAPE CONTRACTOR ZONING REGULATIONS SECTION 131.N.32
2. ZONING: RC-DEO
3. AREA: 10.0 AC (5 AC MIN. REQUIRED FOR CONDITIONAL USE)
4. BUILDINGS AND OUTDOOR AREAS TO BE USED FOR PARKING, LOADING AND STORAGE OF VEHICLES, EQUIPMENT, TOOLS AND SUPPLIES SHALL BE LOCATED AT LEAST 100' FROM LOT LINES AND PUBLIC ROADS AS DELINEATED ON THE PLANS.
5. PROPOSED BUILDING AND OUTDOOR PARKING AND STORAGE AREAS WILL BE SCREENED FROM NEIGHBORING PROPERTIES AND ROADS.
6. THE AREA USED FOR PARKING AND STORAGE OF COMMERCIAL VEHICLES, EQUIPMENT, MATERIALS AND SUPPLIES SHALL BE LIMITED TO 5% OF THE AREA OF THE LOT.
7. WOODBINE ROAD IS CLASSIFIED AS A LOCAL PUBLIC ROAD
8. BOUNDARY INFORMATION SHOWN HEREON IS PLOTTED FROM PROPERTY DEED L:15817, F:110
9. TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM COUNTY GIS.
10. PRIVATE SEWAGE DISPOSAL AREA SHOWN HEREON IN ACCORDANCE WITH APPROVED PERCOLATION CERTIFICATION.
11. PRIVATE WATER (WELL #HO-94-0078) AND SEWER (SEPTIC #A528477).
12. PLANNING AND ZONING HISTORY: NONE
13. PROPERTY ADDRESS: 2060 WOODBINE ROAD WOODBINE, MD 21797
14. PROPERTY IS LOCATED IN THE 4TH ELECTION DISTRICT
15. ALL LIGHTING TO CONFORM TO SECTION 134 OF THE REGULATIONS LIGHTING WILL BE DIRECTED DOWN AND AWAY FROM RESIDENTIAL PROPERTY.
16. STORMWATER MANAGEMENT TO BE PROVIDED IN ACCORDANCE WITH ALL MARYLAND AND HOWARD COUNTY REQUIREMENTS.

PERIMETER LANDSCAPE BUFFER:

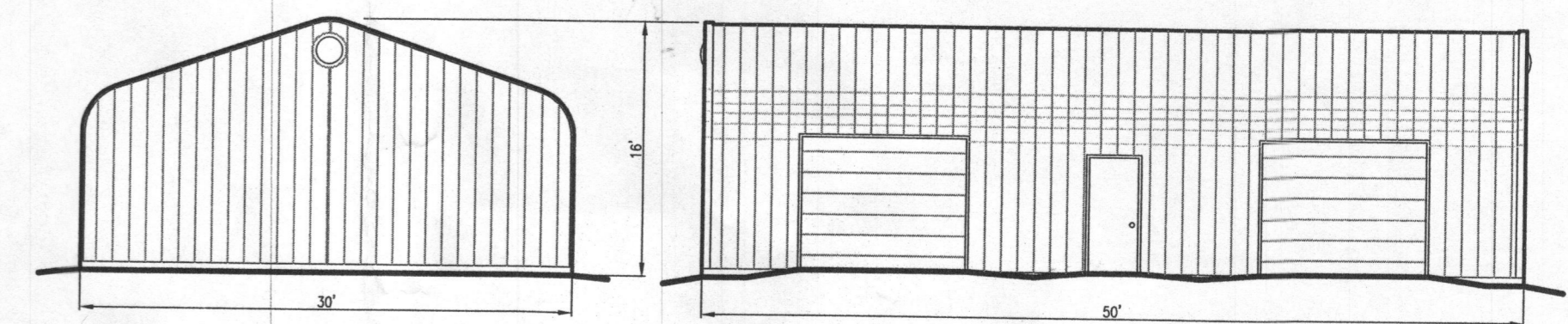
PERIMETER BUFFER TYPE 'C' PROVIDED PER HOWARD CO. LANDSCAPE MANUAL TABLE 3 (1 SHADE TREE PER 40 LF, 1 EVERGREEN PER 20 LF) PROVIDE 8 SHADE TREES AND 15 EVERGREENS.

VARIANCES REQUESTED:

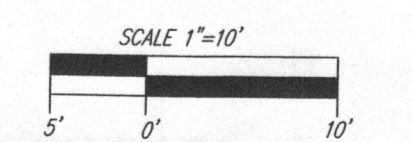
1. SECTION 104.0.E.5
REDUCE THE REQUIRED 30' SETBACK FROM LOT LINES TO ACCOMMODATE THE DRIVEWAY. PROPOSED DISTANCE FROM THE LOT LINE IS 7.04'



VICINITY MAP
SCALE: 1"=2000'
ADC MAP COORDINATES: MAP 7, GRID 15



PROPOSED BUILDING ELEVATIONS
SCALE: 1"=10'



LEGEND

—	PROPERTY LINE	---	EXISTING TREELINE
- - -	RIGHT-OF-WAY LINE	- - -	PROP. TREELINE
- - -	ADJACENT PROPERTY LINE	○	PROP. SHADE TREES
- - -	EXISTING CURB AND GUTTER	○	PROP. EVERGREEN TREES
○	EXISTING UTILITY POLE	○	PROP. DRIVEWAY EASEMENT
○	EXISTING LIGHT POLE	○	CONDITIONAL USE AREA
○	EXISTING SIGN		
○	EXISTING SANITARY MANHOLE		
○	EXISTING GLENDOT		
○	EXISTING FIRE HYDRANT		
○	EXISTING WATER LINE		
○	EXISTING FENCE		

PETITIONER/OWNER
CHAD A ZIRK
2070 WOODBINE RD
WOODBINE, MD 21797

ATTORNEY
TOM COALE
TALKIN & OH, LLP
5100 DORSEY HALL DRIVE
ELLCOTT CITY, MARYLAND 21044

NO.	REVISION	DATE

CONDITIONAL USE AND VARIANCE PLAN
FOR
LANDSCAPE CONTRACTOR
2060 WOODBINE ROAD
TAX MAP 7 GRID 15
4TH ELECTION DISTRICT
PARCEL 362
HOWARD COUNTY, MARYLAND

ROBERT H. VOGEL ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
8407 MAIN STREET
ELLCOTT CITY, MD 21043
TEL: 410.461.7666
FAX: 410.461.8961

RECEIVED JUL 18 2016 TV	DESIGN BY: RHY	PROFESSIONAL CERTIFICATE I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19193, EXPIRATION DATE: 09-27-2016
	DRAWN BY: MR	
	CHECKED BY: RHY	
	DATE: JULY 2016	
SCALE: AS SHOWN	W.O. NO.: 15-48	1 SHEET OF 1

Revised